CWP No.2243 of 2006

R.D.Sharma Versus State of Punjab and others

Present: Mr.Amit Sharma, Advocate
for the petitioner.

Mr.BS Chahal, AAG Punjab for respondents.

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J.S.KHEHAR, J.(Oral)

The petitioner was appointed as Punjabi teacher on adhoc basis in the year 1972. He continued to discharge his duties intermittently in the aforesaid capacity till his services were regularised against the post of JBT teacher with effect from 9.5.1975. Through the instant writ petition, the petitioner desires that the services rendered by him on adhoc basis be taken into consideration along with the services rendered by him on regular basis as qualifying service for determination of his retiral and another pensionary benefits. In considering the claim of the petitioner, it seems that the respondents have decided to accept the aforesaid claim of the petitioner as is apparent from the contents of paragraph 1 of the preliminary submissions contained in the written statement jointly filed by respondents No.1 and 2. Paragraph 1 of preliminary submissions is being extracted hereunder:

> "That the petitioner has served on six months basis from 4.1.72 to 8.5.75 with intermittent periods of breaks. Thereafter the service (excluding breaks) from 25.7.73 to 8.5.75 along with regular service has already been counted towards pensionary benefits. The revised pension case of the petitioner after counting the remaining period of adhoc service w.e.f.

4.1.72 to 24.7.73 (excluding breaks) has been sent to the office of Accountant General, Punjab (A&E) vide letter No.Special/Pen/1-5 dated 8.6.06 (Annexure R-1). As and when the case has been decided by the Accountant General Punjab (A&E), Chandigarh the revised pensionary benefits will be released to the petitioner."

In view of the observations made in para 1 aforesaid, learned counsel for the petitioner acknowledges that the instant writ petition be disposed of as having become infructuous. The same is accordingly disposed of as having been rendered infructuous.

In view of the factual position depicted in paragraph 1 of the preliminary submissions, the respondents are directed to calculate and pay the revised retiral benefits payable to the petitioner within two months from the date of receipt of copy of this order.

Copy of the order be given dasti on payment of usual charges.

(J. S. KHEHAR)
JUDGE

(S. D. ANAND)
JUDGE

October 16, 2006
SRM